

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

UNITED STATES OF AMERICA,

-vs-

JAMES H. GALLAHER,

Plaintiff,

Defendant.

Case No. 2:21-CR-00088-SMJ-1

CRIMINAL MINUTES

DATE: FEBRUARY 8, 2022

**LOCATION: RICHLAND VIA VIDEO
CONFERENCE**

SENTENCING HEARING

		Hon. Salvador Mendoza, Jr.			
Nicole Cruz Courtroom Deputy		01 Law Clerk		Kimberly Allen Court Reporter	
Richard Barker Government Counsel			Amy Rubin Defense Counsel		
United States Probation Officer: Cassie Lerch					

☒ **Open Court**

☐ **Chambers**

☒ **Videoconference**

Due to the current COVID-19 public health crisis, all parties appearing via video conference. Defendant present, appearing via video conference from the Spokane County Jail.

Defendant consents to hearing proceeding via video conference.

Argument and recommendation by Mr. Barker; argument and recommendation by Ms. Rubin.

Defendant addresses the Court on his own behalf.

The Court accepts Presentence Investigation Report as submitted.

Imprisonment: 71 months

Defendant shall receive credit for time served in federal custody prior to sentencing in this matter.

Court recommends placement at FCI Sheridan, Oregon.

Supervised Release: 3 years on standard and mandatory conditions, and the following special conditions:

☒ **ORDER FORTHCOMING**

CONVENED: 11:54 A.M.	ADJOURNED: 12:37 P.M.	TIME: 0:43 HR.	CALENDARED <input type="checkbox"/>
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1. You must complete a mental health evaluation and follow any treatment recommendations of the evaluating professional which do not require forced or psychotropic medication and/or inpatient confinement, absent further order of the court. You must allow reciprocal release of information between the supervising officer and treatment provider. You must contribute to the cost of treatment according to your ability to pay.

2. You must submit your person, residence, office, or vehicle and belongings to a search, conducted by a probation officer, at a sensible time and manner, based upon reasonable suspicion of contraband or evidence of violation of a condition of supervision. Failure to submit to search may be grounds for revocation. You must warn persons with whom you share a residence that the premises may be subject to search.

3. You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.

4. You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

5. You must not enter into or remain in any establishment where alcohol is the primary item of sale. You must abstain from alcohol and must submit to urinalysis and Breathalyzer testing as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from this substance.

Fine:	Waived
Special Penalty Assessment:	\$100

Appeal rights waived pursuant to the Plea Agreement previously executed by the defendant and filed.